

JAN 30 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARK S. SOKOLSKY,

Petitioner - Appellant,

v.

NORM KRAMER, Executive Director,

Respondent - Appellee.

No. 08-55198

D.C. No. CV-07-06261-CBM

MEMORANDUM \*

Appeal from the United States District Court  
for the Central District of California  
Consuelo B. Marshall, District Judge, Presiding

Submitted January 12, 2009\*\*  
San Francisco, California

Before: O'SCANNLAIN, McKEOWN, and BYBEE, Circuit Judges.

Appellant's motion to proceed in forma pauperis is granted. The Clerk shall change the docket to reflect appellant's in forma pauperis status.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

On September 26, 2008, this court ordered appellant to show cause as to why the district court's judgment should not be summarily affirmed for the reasons stated in the district court's order dated December 17, 2007.

A review of the record and appellant's response to the court's order to show cause indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

**AFFIRMED.**